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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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150 STREET CORP., : 08-CV-1540
: (GBD) (KNF)
Plaintiff,
-against - :
LOCAL 272 WELFARE FUND, : **NOTICE
OF MOTION**
Defendant. :
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PLEASE TAKE NOTICE that upon the annexed Affirmation of Peter B. Foster, Esq. dated June 11, 2008, the affidavit of Stanley J. Zawada, D.P.M. sworn to on June 5, 2008, and the accompanying Memorandum of Law, and upon all prior pleadings and proceedings herein, the undersigned will move this Court, in Courtroom 15D before the Honorable George B. Daniels, United States District Court Judge for the Southern District of New York, in Room 630 of the Courthouse located at 500 Pearl Street, New York, New York, 10007, on the day of July, 2008 at 9:30 a.m. on the forenoon of that day or as soon thereafter as counsel can be heard for an order for leave: (i) to amend its summons and complaint in the instant action; (ii) to add Stanley J. Zawada, D.P.M. (hereinafter "Zawada") as a co-plaintiff in the instant action, and (iii) for such other and further relief which this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the individual rules of this Court, opposing affidavits and answering memoranda of law, if any, shall be served within ten (10) business days of this date.

Dated: New York, New York
June 13, 2008

FOSTER & WOLKIND, P.C.

By: _____ s/
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